



REGISTRAR OF REGULATIONS

06 SEP 15 PM 1:24

## **COMMONWEALTH of VIRGINIA**

*Department of Health*  
**DIVISION OF SHELLFISH SANITATION**  
109 Governor Street, Room 614-B  
Richmond, VA 23219

Ph: 804-864-7487  
Fax: 804-864-7481

### **NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 040-085, PEPPER CREEK AND VICINITY**

**EFFECTIVE 26 SEPTEMBER 2006**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

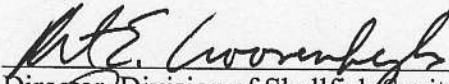
1. The "Notice and Description of Shellfish Area Condemnation Number 040-085, Pepper Creek and Vicinity," effective 14 October 2005, is cancelled effective 26 September 2006.
2. Condemned Shellfish Area Number 040-085, shown as Sections A, B, C, and D is established, effective 26 September 2006. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Pepper Creek and Vicinity, Condemned Shellfish Area Number 040-085, 26 September 2006" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

#### **BOUNDARIES OF CONDEMNED AREA NUMBER 040-085**

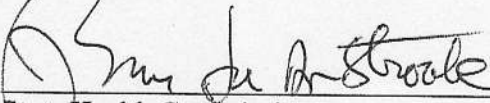
- A. The condemned area shall include all of that portion of Sloop Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°21'14.8", -76°19'46.7") and map coordinate (37°21'02.0", -76°19'35.3"), as well as inland of a line drawn between map coordinate (37°21'02.9", -76°19'26.3") and map coordinate (37°21'00.8", -76°19'26.9").
- B. The condemned area shall include all of that portion of Pepper Creek lying upstream of a line drawn between latitude/longitude map coordinate (37°20'30.6", -76°18'39.9") and map coordinate (37°20'31.1", -76°18'32.4").
- C. The condemned area shall include all of the northern tributary of Davis Creek lying upstream of a line drawn between latitude/longitude map coordinate (37°19'52.0", -76°18'01.6") and map coordinate (37°19'50.1", -76°17'50.7").

- D. The condemned area shall include all of the eastern tributary of Davis Creek lying upstream of a line drawn between latitude/longitude map coordinate (37°19'45.5", -76°17'47.5") and map coordinate (37°19'43.3", -76°17'44.4").

Recommended by:

  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:

  
\_\_\_\_\_  
State Health Commissioner

9/14/06  
\_\_\_\_\_  
Date

**Virginia Department of Health  
Pepper Creek and Vicinity  
Condemned Shellfish Area Number 040-085  
26 September 2006**

0 1,000 2,000 4,000  
Feet

**Section  
A**

Sloop  
Creek  
05-08-00

SC 604

SC 603

SC 673

Pepper  
Creek  
05-06-00

**Mathews  
County**

SC 600

**Section  
B**

**Section  
C**

Davis Creek  
05-04-00

SC 655

SC 689

**Section  
D**

Mobjack Bay  
05-00-00



**Condemned Shellfish Areas  
(Sections A - D)**

(37°21'14.8", -76°19'46.7")

(37°21'02.0", -76°19'35.3")

(37°21'02.9", -76°19'26.3")

(37°21'00.8", -76°19'26.9")

(37°20'30.6", -76°18'39.9")

(37°20'31.1", -76°18'32.4")

(37°19'52.0", -76°18'01.6")

(37°19'50.1", -76°17'50.7")

(37°19'45.5", -76°17'47.5")

(37°19'43.3", -76°17'44.4")